

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

MARQUEZ-CEDENO, et al.,
Plaintiffs

v.

CASE NUMBER: 05-1432 (HL)

COSTCO WHOLESALE CORP., et al.,
Defendants

ORDER

On September 9, 2005, defendant filed a motion to compel discovery (Docket No. 5), which was granted by the Court. The Court ordered plaintiffs to answer the interrogatories served upon them on or before October 6, 2005. (See Docket No. 7). On October 12, 2005, defendant filed a motion for sanctions (Docket No. 8), given that plaintiff had disregarded the Court's October 6th order and had not answered the defendant's interrogatories. Once again the Court ordered plaintiffs to answer the interrogatories by November 7, 2005 (See Docket No. 9), and warned plaintiffs that failure to comply with the Court's order would result in the dismissal of the case. Defendant thus moves for dismissal of the case in light of plaintiff's continuous disregard of Court orders. (See Docket No. 10).

A district court is "well within its discretion in dismissing [a] case after repeated violations of its orders and after having warned plaintiff of the consequences of noncompliance." Lopez-Gonzalez v. Santiago-Rivera, 220 F.R.D. 386, 387 (D.P.R. 2004), *aff'd*, 404 F.3d 548 (1st Cir. 2005). See also Tower Venture, Inc. v. City of Westfield, 296 F.3d 43, 46 (1st Cir. 2002); Serra-Lugo v. Consortium Las Marias, 271 F.3d 5, 6 (1st Cir. 2001).

The record shows that plaintiffs disregarded the Court's orders despite the Court's warning that said failure could result in the dismissal of the action. Thus, the Court hereby **DISMISSES** this case pursuant to Fed. R. Civ. P. 41 (b) for failure to comply with Court orders. Judgment dismissing this case with prejudice will be issued forthwith.

Date: November 28, 2005

**S/ HECTOR M. LAFFITTE
U.S. District Judge**